

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WARREN TREPP,)
Plaintiff,)
v.)
DENNIS MONTGOMERY, BRENDA)
MONTGOMERY, THE MONTGOMERY FAMILY)
TRUST, EDRA BLIXETH, OPSRING, INC. AND)
BLIXWARE, INC.,)
Defendants)

3:06-CV00056-PMP-VPC

Case Number

WRIT OF EXECUTION

TO THE UNITED STATES MARSHAL FOR THE DISTRICT OF NEVADA:

On December 11, 2008, a Judgment was entered in the docket of the above-entitled Court and action, in favor of Warren Trepp as Judgment Creditor,

and against DENNIS MONTGOMERY, BRENDA MONTGOMERY, THE MONTGOMERY FAMILY TRUST, EDRA BLIXETH, OPSRING, INC. AND BLIXWARE, INC. as Judgment Debtor, for

\$ 5,000,000.00	principal,
\$	attorney fees,
\$	interest, and
\$	costs making a total of
\$ 5,000,000.00	JUDGMENT AS ENTERED.

WHEREAS, according to an affidavit and request for issuance of writ of execution filed herein, it appears that further sums have accrued since the entry of judgment, to wit:

\$ 12,328.77	accrued interest, and
\$	accrued costs and fees, making a total of
\$ 5,012,328.77	ACCRUED INTEREST, COSTS AND FEES.

CREDIT must be given for payments and partial satisfactions in the amount of

\$ _____ which is to be first credited against the total accrued interest, costs and fees, with any excess credited against the Judgment as entered, leaving a net balance of

\$ 5,012,328.77 ACTUALLY DUE on the date issuance of this writ, of which

\$ 5,000,000.00 is due on the Judgment as entered, and bears interest at 5 % per annum, in the amount of \$ 684.93 PER DAY, from the date of entry of judgment to the date of issuance on this writ, to which must be added the accrued costs and fees and the commissions and costs of the officer executing this writ. (Interest rate and amount per day to be completed by attorney.)

Notice by mail of any sale under the writ of execution ☒ Has ☐ Has Not been requested.
The following named persons have requested such notice of sale:

NAME

ADDRESS

Warren Trepp

c/o Jerry M. Snyder, Esq.
Holland & Hart LLP
5441 Kietzke Lane, Second Floor
Reno, Nevada 89511

YOU ARE THEREFORE COMMANDED to satisfy the said Judgment with interest and costs as provided by law and your costs and disbursements out of the personal property of said debtor, except that for any pay period, 75 percent of the disposable earnings of the debtor during this period or for each week of the period 30 times the minimum hour wage prescribed by section 6(a)(1) of the Federal Fair Labor Standards Act of 1938 [29 U.S.C. Sec. 206(a)(1)], and in effect at the time the earnings are payable, whichever is greater, is exempt from any levy of execution pursuant to this writ, and if sufficient personal property cannot be found, then out of his real property; or if the Judgment be a lien upon real property, then out of the real property belonging to such debtor, and make return of this writ within not less than ten (10) days nor more than sixty (60) days after your receipt thereof with what you have done endorsed hereon.

Judgment Creditor/Plaintiff will identify to the U.S. Marshal or his representative assets that are to be seized to satisfy the judgment/order.

YOU ARE FURTHER COMMANDED if necessary, to turn over any property seized under this order to a third party custodian or to the plaintiff. The U.S. Marshal or his representative is authorized to use reasonable force in the execution of this Judgment/Order and the Judgment Creditor/Plaintiff will hold the U.S. Marshals Service harmless of any liability that may be imposed as a result of the execution of the Judgment.

DATED: _____

Lance S. Wilson

Clerk

Lance S. Wilson



December 29, 2008